

FILED

DECEMBER 18, 2007

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

PH 07 C 7114

**JUDGE SHADUR
MAGISTRATE JUDGE DENLOW**

EXHIBIT 3



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

March 12, 2007

Honorable Barack Obama
United States Senator
Suite 3900
230 South Dearborn
Chicago, IL 60604

Dear Senator Obama:

I am responding to your letter dated January 29, 2007, directed to Ms. Monquie Kelso of our Office of Congressional Affairs, concerning the name check status for Ms. Yao Xu for immigration purposes.

A review of the Federal Bureau of Investigation's (FBI's) Name Check Program database concerning Ms. Xu revealed that her request was received from the United States Citizenship and Immigration Services on July 23, 2005 and is currently in process.

The FBI currently processes millions of name check requests each year with each requiring thoughtful consideration. We know how important this information must be to your constituent; however, the FBI must also balance the need for national security in preparing the response to each of these requests. The FBI's homeland security mission requires that our name check process be primarily focused on an accurate and thorough result. While an exact date for completion of this review cannot be given, Ms. Xu may be assured that the results will be made available to the immigration authorities as quickly as possible.

I trust this information will assist you in responding to your constituent.

Sincerely,

A handwritten signature in black ink, reading "William L. Hooton". The signature is written in a cursive style with a large, stylized "W" and "H".

William L. Hooton
Assistant Director
Records Management Division

VEDDER, PRICE, KAUFMAN & KAMMHOLZ, P.C.

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CHICAGO • NEW YORK CITY • WASHINGTON, D.C. • ROSELAND, NJ

November 21, 2007

Mr. Don Ferguson
Acting Director, Chicago District Office
U.S. Citizenship and Immigration Services
101 West Congress Parkway
Chicago, IL 60605
Attn: N-400

Re: A#: 072 168 150

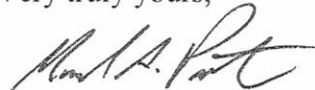
Dear Mr. Ferguson:

We represent Mrs. Yao Xu in her immigration matters. On July 23, 2005 Mrs. Xu submitted her N-400 Application for Naturalization with the USCIS. On December 15, 2005 Mrs. Xu was interviewed by USCIS officer Stathos, and successfully passed the English language and U.S. history and government tests. I have enclosed a copy of Mrs. Xu's test results for your convenience. It has been nearly 28 months since Mrs. Xu filed her application, and it has yet to be adjudicated. This unreasonable and unjustified delay has impaired Mrs. Xu's ability to make important decisions in her personal and professional life, and has deprived her of the right to citizenship and the peace of mind to which she is entitled.

Mrs. Xu has tried on numerous occasions to resolve this delay without success; therefore, we are currently prepared to file a Petition for Writ of Mandamus in federal district court on her behalf. If we do not receive a response from you within 14 days, we will have no choice but to file the Petition with the U.S. District Court for the Northern District of Illinois on December 4, 2007. We will also seek payment for attorneys' fees upon our prevailing on the Petition.

Thank you for your prompt attention to this matter.

Very truly yours,



Mark A. Partin

MAP/kh
Enclosure: Naturalization Interview Results

cc: Yao Xu